



Introduced Version

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## **SENATE CONCURRENT RESOLUTION No. 13**

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### **DIGEST OF INTRODUCED RESOLUTION**

A CONCURRENT RESOLUTION urging the United States Congress to direct the Federal Communications Commission to adopt regulations or issue an order requiring multichannel video programming distributors that provide service in a television market in a state to carry at least one affiliate of a broadcast network with its city of licensure reference point located in that state.

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## **Heinold**

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January 18, 2005, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

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## SENATE CONCURRENT RESOLUTION No. 13

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A CONCURRENT RESOLUTION urging the United States Congress to direct the Federal Communications Commission to adopt regulations or issue an order requiring multichannel video programming distributors that provide service in a television market in a state to carry at least one affiliate of a broadcast network with its city of licensure reference point located in that state.

*Whereas, The Federal Communications Commission (FCC) has jurisdiction over the provision of service by multichannel video programming distributors (MVPDs), including cable operators and satellite carriers;*

*Whereas, The FCC prescribes "must carry" regulations (47 CFR 76.51 et seq.) requiring MVPDs to carry local commercial television stations;*

*Whereas, The FCC regulations provide that if a cable operator elects to carry an affiliate of a broadcast network to fulfill the operator's obligations, the operator must carry the affiliate of the broadcast network with its city of licensure closest to the principal headend of a cable system;*

*Whereas, In Indiana communities bordering other states, the broadcast network with its city of licensure closest to the principal headend of a cable system may be located in a neighboring state;*

*Whereas, The FCC regulations provide that a satellite carrier is not required to carry in a single, local market the signals of more than one commercial television broadcast station affiliated with a particular television network unless*



*the stations are licensed to communities in different states, and that the carrier may select which network affiliate in a market it shall carry;*

*Whereas, Under the FCC regulations, cable and satellite subscribers in Indiana communities bordering other states may not receive a local commercial television station that is an affiliate of a broadcast network with its city of licensure located in Indiana;*

*Whereas, Under the FCC regulations, subscribers in Indiana border communities may not have access to a network affiliate that provides news coverage of events and issues affecting Indiana;*

*Whereas, In enacting the Cable Television Consumer Protection and Competition Act (47 U.S.C. 521 et seq.), the United States Congress directed the FCC to "afford particular attention to the value of localism" when responding to requests to include or exclude particular communities in a television broadcast station's television market;*

*Whereas, Congress further instructed the FCC, in determining the local needs of a community, to consider whether there exists any other station eligible to be carried in the community that "provides news coverage of issues of concern" to the community; and*

*Whereas, Under existing FCC regulations, the local news and informational needs of subscribers in Indiana border communities are not being adequately served; Therefore:*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

1       SECTION 1. That the Indiana General Assembly urges the United  
2 States Congress to direct the Federal Communications Commission to  
3 adopt regulations or issue an order requiring multichannel video  
4 programming distributors, including cable operators and satellite  
5 carriers, that provide service in a television market in a state to carry at  
6 least one affiliate of a broadcast network with its city of licensure



1 reference point located in that state.

2 SECTION 2. That the Secretary of the Senate shall transmit a copy  
3 of this resolution to the members of the Indiana congressional  
4 delegation.

